

**FAX TRANSMISSION****DATE:** April 16, 2004**PTO IDENTIFIER:** Application Number 10/623076-Conf. #3568  
Patent Number**Inventor:** Subhashis BANERJEE et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** LAHIVE & COCKFIELD, LLP  
Cristin E. Howley.**PHONE:** (617) 227-7400**Attorney Dkt. #:** BPI-189**SECOND ATTEMPT****The first facsimile sent today DID NOT transmit all 14 pages****PAGES (Including Cover Sheet):** 14**CONTENTS:**Amendment Transmittal (1 page); and  
Preliminary Amendment (11 pages);

Certificate of Transmission under 37 CFR 1.8 (1 page).

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PTO/SB/97 (12-97)

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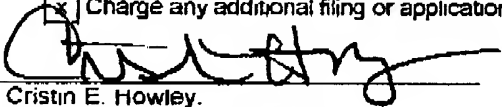
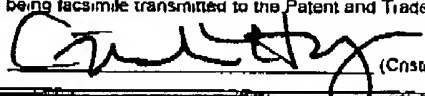
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Preliminary Amendment (11 pages);  
Amendment Transmittal (1 page); and  
Certificate of Transmission under 37 CFR 1.8 (1 page).

AMENDMENT TRANSMITTAL LETTER				Docket No. BPI-189	
Application No 10/623076-Conf. #3568		Filing Date July 18, 2003		Examiner Not Yet Assigned	
				Art Unit 1644	
Applicant(s): Subhashis BANERJEE et al.					
Invention TREATMENT OF PULMONARY DISORDERS USING TNF $\alpha$ INHIBITORS					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application The fee has been calculated and is transmitted as shown below					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	65	- 65 =		x	0.00
Independent Claims	20	- 20 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17					
 Cristin E. Howley. Agent Reg. No.: 55,281				Dated: April 16, 2004	
LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400					
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Application No.: 10/623076

Docket No.: BPI-189

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Subhashis Banerjee *et al*

Application No.: 10/623076

Confirmation No.: 3568

Filed: July 18, 2003

Art Unit: 1644

For: TREATMENT OF PULMONARY DISORDERS  
USING TNF $\alpha$  INHIBITORS

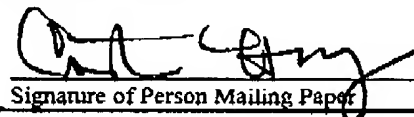
Examiner: Not Yet Assigned

MS Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
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Cristin E. Howley  
Name of Person Mailing Paper

  
Signature of Person Mailing Paper

**PRELIMINARY AMENDMENT**

Dear Sir:

Prior to substantive examination of the above-referenced application, please amend the application as follows.

Amendments to the Specification are reflected at page 2 of this Preliminary Amendment. Amendments to the claims begin at page 3 of this paper. Remarks begin on page 11 of this paper.